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इस भाग में मिन्न पृष्ठ संख्या दी जाती है जिससे कि यह भाग संकलन के इप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—भाग 3—उप-भाग (iii)
PART II—Section 3—Sub-section (iii)

केंद्रीय अधिकारियों (संघ राज्य और प्रशासन को छोड़कर) द्वारा जारी किये गये आदेश और अधिसूचनाएँ
Orders and Notifications issued by Central Authorities (other than the Administrations of Union Territories)

भारत निर्वाचन आयोग

नई विली, 14 फरवरी, 2001

श्रा. श्र. 44.—निर्वाचन आयोग 1998 की
निर्वाचन अर्जी डायरी सं. 8383 में तारीख 19-1-2001
का मद्रास उच्च न्यायालय का निर्णय लोक प्रतिनिधित्व
अधिनियम, 1951 (1951 का 43) की बारा 106/111
के अनुसरण में एतद्वारा प्रकाशित करता है।

(निर्णय अधिसूचना के अंग्रेजी भाग में छपा है।)

[सं. 82/ता-लो स/8383/98]

आदेश से,
बाबू राम, सचिव

ELECTION COMMISSION OF INDIA

New Delhi, the 14th February, 2001

O.N. 44.—In pursuance of section 106/111
of the Representation of the People Act, 1951 (43
of 1951), the Election Commission hereby publishes
the judgement of the High Court of Madras, dated
19-1-2001 in Election Petition Diary No. 8383 of
1998.

IN THE HIGH COURT OF JUDICATURE AT
MADRAS

(Original Jurisdiction)

Friday, the Nineteenth day of January Two Thousand
and One.

CORAMS

THE HON'BLE MR. JUSTICE K. SAMPATH

Election Petition

Diary No. 8383 of 1998

P. S. Stanislaus,
S/o Mr. Singarayyan,
Jawaher Illam,
No. 8, B1 Chidambaranathan Street,
Ramanavarmapuram,
Nagercoil 629 001
Kanyakumari District.

Petitioner.

Vs.

1. N. Dennis
S/o Mr. Nallathambi
William Compound
Main Road, Marthandam & Post
Nalloor Village
Vilavancode Taluk
Kanyakumari District.
2. Pon. Radhakrishnan,
S/o. Ponniah Ayappan
Ramakrishna Nilayam
S.L.B. South Road.
Nagercoil 629 001
Kanyakumari District.
3. Mr. Iyappan
S/o. Appavoo
No. 15/18 Illankathuvilai Veedu
Police Road, Thuckalai and Post
Thuckalai Village,
Kalculam Taluk
Kanyakumari District.
4. Mr Peer Mohamed,
S/o. Uduman Mohaideen,
No. 13-B, Illathar Street
Krishnankoil,
Nagercoil 629 001
Kanyakumari District.
5. Mr. Joseph,
S/o Ponnumoni,
"Thankom Cottage"
Kattukadai, Palappallam Post,
Keezmidalam Village,
Villavancode Taluk
Kanyakumari District.
6. The Returning Officer,
No. 39 Nagercoil Parliamentary
Constituency and
District Collector,
Kanyakumari District,
Nagercoil 629 001. . Respondents

Petition praying that this Hon'ble Court may be pleased to :

- (a) declare that election of the first Respondent to the No. 39 Nagercoil Parliamentary Constituency in the Election held on 22-2-1998, is null and void.
- (b) declare that petitioner is duly elected candidate of the No. 39, Nagercoil Parliamentary

Constituency in the election held on 22-2-1998.

(c) award costs and grant further reliefs as this Hon'ble Court may deem fit and proper and thus render justice.

The above unnumbered Election Petition coming on this day before this Court for hearing in the presence of Mr. S. James counsel for the Petitioner and upon perusing the petition filed herein, and all the material documents, this Court made the following Order :

"The election petition has been filed challenging the election of the first respondent for the 12th Lok Sabha. After the filing of the election petition, the 12th Lok Sabha was dissolved, and elections were conducted for the 13th Lok Sabha. In these circumstances I do not think anything survives in the election petition. Consequently, the petition is dismissed as infructuous. However, it is open to the petitioner to have the matter restored, in case he wants to pursue the matter."

Witness, the Hon'ble Thiru Justice Nagendra Kumar Jain, Chief Justice at Madras aforesaid this the Nineteenth day of January Two Thousand and One.

K. KARUPPIAH, Assistant Registrar
dt. 1-2-2001.
Original Side-II

Election Petition

Diary No. 8383 of 1998

THE HON'BLE MR. JUSTICE
K. SAMPATH

ORDER DATED : 19-1-2001

For Approval : 1-2-2001.

Approved on : 1-2-2001.

[No. 82/TN-HP/8383/98]

By Order,
BABU RAM, Secy.

नई विली, 20 फरवरी, 2001

आ. अ. 45.—लोक प्रतिनिधित्व अधिनियम, 1950 (1950 का 43) की धारा 13-क की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत निर्बाचन आयोग कर्ताक सरकार के परामर्श से एतद्वारा श्री एस. के. हाजरा, आई. ए. एस. के स्थान पर श्री मिलीष राज, आई. ए. एस. (के. टी.-72), को उनके कार्यभार प्रहृण करने की तारीख से आगामी आदेशों तक के लिए कर्ताक राज्य के मुख्य निर्बाचन अधिकारी के रूप में नामित करता है।

2. श्री दिलीप राउ, कर्नाटक सरकार के अधीन सभी पदभार या किसी कार्य के पदभारों को तत्काल सौंप देंगे या धारण करना समाप्त कर देंगे, जो कि वे ऐसा पदभार ग्रहण करने से पहले धारण कर रहे थे।

3. श्री दिलीप राउ, मुख्य निवाचिन अधिकारी कर्नाटक के रूप में कार्य करने हुए कर्नाटक सरकार के अधीन किसी भी प्रकार का कोई अतिरिक्त कार्यभार ग्रहण नहीं करेंगे सिवाय इसके कि उनको राज्य सचिवालय में निवाचिन विभाग के प्रभारी, सरकार का सचिव पदाधिकृत किया जायेगा।

[सं. 154/कर्ना./2001-का. प्रशासन]

आदेश से,
ए. एन. झा, निदेशक (प्रशासन)

New Delhi, the 20th February, 2001

O.N. 45.—In exercise of the powers conferred by sub-section (1) of section 13 of the

Representation of the People Act, 1950 (43 of 1950)
the Election Commission of India in consultation with Government of Karnataka hereby nominates Shri Dilip Rau IAS(KT : 72), as the Chief Electoral Officer for the State of Karnataka with effect from the date he takes over charge and until further orders vice Shri S. K. Hajra, IAS.

2. Shri Dilip Rau shall cease to hold and hand over forthwith the charge of all or any charges of work under the Government of Karnataka, which he may be holding before such assumption of office.

3. Shri Dilip Rau while functioning as the Chief Electoral Officer, Karnataka shall not hold any additional charge whatsoever under the Government of Karnataka except that he should be designated Secretary to the Government in charge of Election Department in the State Secretariat.

[No. 154|KT|2001-P. Admn.]

By Order,
A. N. JHA, Director (Admn.)

